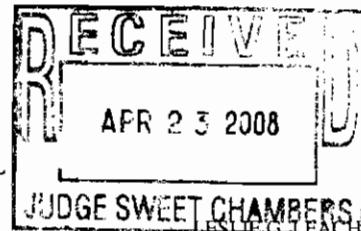




STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ANDREW M. CUOMO
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Executive Deputy Attorney General
Division of State Counsel

JUNE DUFFY
Assistant Attorney General in Charge
Litigation Bureau

April 22, 2008

By Hand

Honorable Robert W. Sweet
United States District Judge
Southern District of New York
500 Pearl Street, Room 1920
New York, New York 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 4/24/08

Re: Jones v. Marshall
08 Civ. 0562 (RWS)

Dear Judge Sweet:

In the above-referenced matter, we represent the two served defendants and anticipate representing the third defendant once service is effectuated. We respectfully request that the time for all served defendants to respond to the complaint be extended nunc pro tunc, to the extent necessary, until June 25, 2008. In this matter, plaintiff alleges inter alia that his Eighth Amendment rights were violated when he was denied the use of a bathroom for approximately two hours at Sing Sing Correctional facility and thus had to urinate on himself. This request is made to allow for the remaining defendant to be served, to allow time to discuss this matter with the defendants, and it takes into account that I will be out of the office on medical leave for approximately six weeks starting in May. This is defendants' first request for an extension to respond to the complaint. Accordingly, for the reasons set forth above, we request that the time to respond to the complaint be extended until June 25, 2008.

Respectfully submitted,

John E. Knudsen
Assistant Attorney General
(212) 416-8625

*Signed
Sweet
US DJ
3-23-08*

cc: Christopher Jones, 94-A-3638 (via mail)
Upstate Correctional facility